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Comments on the Proposed Long Beach Airport Terminal Expansion

October 13, 2003

Dear Ms. Reynolds,

Please register our protest at the so-called "scoping proceedings." The public was not permitted to provide scoping comments. This was entirely inappropriate.

These are our written comments:

Fact: At the end of each flight, Jet Blue proudly announces that they purchase a new airplane every two weeks.

The terminal expansion is clearly in preparation of expansion of the airport and the number of flights. Five votes on any given evening at the city council or a federal ruling can change present law and flight numbers. For this reason, all studies must include the environmental impacts of an expanded airport. Not to do so would make the document useless.

A health impact survey should be done in the vicinity of the airport and in Greater Long Beach. It should be compared to a health study in a nearby city without a port or an airport like Huntington Beach.

Our area is out of air quality compliance and it has been so for many years. Since parking and traffic will be increased, how will these impacts be mitigated?

Sincerely,

Gordon LaBedz, M.D.
Conservation Chair

GORDON LaBEDZ, M.D.

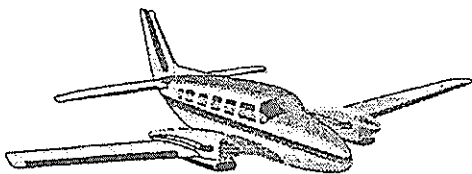


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LONG BEACH AIRPORT ASSOCIATION

"In support of general aviation"

P.O. BOX 91372 LONG BEACH, CA 90809

October 20, 2003

Ms. Angela Reynolds
Environmental Officer
Planning and Building
City of Long Beach
333 W. Ocean Blvd.
Long Beach, Ca. 90802

Ms. Reynolds:

Reference: Notice of Preparation; permanent airport terminal facilities project, Long Beach Airport.

The Long Beach Airport Association supports the construction of permanent terminal facilities at the Long Beach Airport, commensurate with the current minimum permitted flight and passenger levels, as set by ordinance (41 commercial air carrier and 25 commuter air carrier flights). The present permanent facilities were designed to accomodate only fifteen airline flights, and the last permanent addition (south boarding lounge) was completed over twenty years ago. Patchwork, temporary facilities of "tents and trailers", currently in use, are an inconvenience and a disservice to the travelling public, the citizens of Long Beach, and the image of California's fifth largest city; they are unsustainable for long-term use.

We further maintain that the "scoping" of the EIR process for this project should be narrow in character, limited to the environmental effects of the construction of the physical buildings, parking structures, parking lots, etc.; not to include such issues as aircraft noise, pollution, etc., these latter areas having been covered extensively in a previous EIR and confirmed in a 1995 federal court settlement and the subsequent ordinance limiting flights, as approved by the Long Beach City Council.

Thank you for accepting this input. Any questions, comments, or updates, please address to:

Kevin McAchren
Secretary, Long Beach Airport Association
c/o Airserv
4137 Donald Douglas Drive
Long Beach, Ca. 90808
Ph. (562) 429-8062
FAX (562) 421-2858

Thank you,


Kevin McAchren



TO: Environmental officer

FAX NUMBER: Main Office Addr. 4150 Coast Ave Long Beach 90807

FROM: Cora Manalang CEO Dream Home Care Inc

DATE: 10-15-03

NUMBER OF PAGES: 2

(including cover page)

Please count the following staff & residents
If there are any problems regarding this transmission, opposed to
please call: () or fax: (562) 426 4804 the Airport Expansion
(562) 595 9021

REMARKS:

We are strongly opposed to to
expansion of the Long Beach airport.
We do have group homes ^{for children} around
the area. Noise, disturbance, health
issues & fear are tremendous impact
on us if the airport is expanded
resulting into more flight
staffs & residents in the area.

- | | |
|-------------------|--------------------|
| 5) Rose Genido | 1) Cora Manalang |
| 6) Helen Griffith | 2) Paulette Owens |
| 7) Darlene Baker | 3) Julie Campbell |
| 8) Sally Bayas | 4) Charlotte Smith |

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- 9) Teresita Nayve
10) Jimmy Lozano

- 5) ESTELA TATE
6) CELY TUASON

Signed by
CEO/Adm.

10-15-03



page 2 of 2

TO: _____

FAX NUMBER: _____

FROM: _____

DATE: _____ NUMBER OF PAGES: _____
(including cover page)

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please call: () or fax: .

REMARKS:

(12) Sandra Paus
(13) Angie Zucal
(14) Mercedes RANAKIO
(15) Elvie Polintan
(16) Alex CASTRO
(17) Romare Richardson

Phone # where to call
(562) 989-1884
989-9151
595-4348
595-9021

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October 11, 2003

Ms. Angela Reynolds, Environmental Officer
Planning and Building
City of Long Beach
333 West Ocean Boulevard
Long Beach, CA 90802

Re: Long Beach Airport Environmental Impact Report (EIR)

Dear Ms. Reynolds,

On Saturday, October 11, 2003, at the EIR public scoping meeting, the City of Long Beach stated that the ground rules and scope to the EIR consultants assumes the project does not address flight operations and their associated environmental impacts.

Public input at that same meeting from numerous sources requested that this assumption be changed, and that flight operations be included in the EIR in order to properly evaluate the true impacts of the terminal area improvements.

Thus, there are differing opinions regarding the recommended scope of the EIR. It is in the public interest to expand the EIR scope to address their concerns and quantify the associated impacts so an informed decision can be made. It is in the airport proprietor's interest to keep the scope narrow so as to minimize the economic impacts of their proposed project. I suppose it is in the consultant's interest to expand the scope of the EIR because it leads to more business for them. So the question is, who plays the role of impartial arbitrator to settle these competing interests?

As you know, according to the CEQA guidelines, it is the Lead Agency who ultimately defines the scope. However, in this situation, the City of Long Beach is not only the Lead Agency, they are also the Responsible Agency preparing the EIR and they are the proprietors of the Long Beach Airport who have the most to gain from a narrowly scoped EIR. This poses a significant challenge to the Lead Agency to remain impartial, just and unbiased.

Fortunately, there are specific rules in the CEQA guidelines that will help guide the Lead Agency in maintaining "informed and balanced" decisions. On Policies, Section 15003 (b) states "The EIR serves not only to protect the environment but also to demonstrate to the public that it is being protected." And (d) states "The EIR is to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its actions."

Regarding the guidelines to determine what is included in the scope of a project, Section 15064 provides a long list. Some pertinent points are (d) "... the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project." According to Section 15005: "(a) 'Must' or 'shall' identifies a mandatory element which all public agencies are required to follow."

As an example of an indirect physical change, the CEQA states, "for example, the construction of a new sewage treatment plant may facilitate population growth in the service area due to the increase in sewage treatment capacity and may lead to an increase in air pollution." Put in our context, the modification of an existing airport to increase capacity may facilitate increased passenger traffic in the service area due to the increase in airport capacity and may lead to an increase in air and noise pollution. Thus, by similarity, air and noise pollution due to increased passenger traffic caused by increased airport capacity must be included in the EIR as an "indirect physical change."

Note, Section 15064 also states, "An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project."

My argument is this, a 41/25 flight combination with 1 million annual passengers, which is the permanent capacity of the existing Long Beach Airport, produces less noise and less air pollution than a 41/25 flight combination with 3.8 million annual passengers, the proposed permanent capacity of this project. Fundamentally, this is reasonably factual information that should be considered by any impartial Lead Agency, independent of the need for expert testimony. More people imply more weight, which implies more fuel consumption, more pollution, and more noise on approach and departure. That air and noise pollution impact comes not only at the airport, but also during flight operations in the surrounding community. Thus, flight operations and their associated environmental impacts are an indirect physical change resulting from this project, and as such, are a mandatory issue that must be included in the scope of this EIR

Simply because temporary passenger capacity was added by the airport without a comprehensive EIR does not preclude the inclusion of the increased passenger capacity when a permanent facility is proposed and the associated EIR is initiated. The proposed project is a capacity change of the permanent airport facility from accommodations for 1 million to accommodations for 3.8 million annual passengers, nearly quadrupling the permanent capacity of the airport. Airplanes are bringing in more passengers than ever before, and the associated environmental impacts from those additional passengers have never before been evaluated. This EIR is the appropriate instrument for such an evaluation.

The fact that the temporary airport improvements are currently allowing 3.4 million annual passengers, rather than the 1 million enabled by the permanent facility alone, demonstrates beyond a reasonable doubt that this "indirect physical change" of increased passenger traffic is very much "a reasonably foreseeable impact." Hence, this issue of including the environmental impacts of flight operations satisfies all of the criteria necessary to be included in the scope of the EIR, as defined by the CEQA guidelines.

Furthermore, in order to avoid any appearance of a conflict of interest, to guarantee the protection of the citizens which it represents, and to accumulate as much information as possible so as to make a truly informed decision, it is in the best interest of the City of Long Beach to include the environmental impacts of flight operations in the surrounding communities of Long Beach, Seal Beach and Huntington Beach in the scope of the EIR.

*Scott A. Green, Ph.D.
6352 Fallingwater Drive
Huntington Beach, CA 92647
Phone/Fax: (714) 596-5595
email: scott.a.green@ieee.org*

Undoubtedly the proprietors of the Long Beach Airport are feeling pressure to accommodate the growing legions of passengers generated by the 41/25 flight combination. We, the public in the impacted area, feel that same pressure 41 times each day, so we can certainly relate to their distress. However, that mounting pressure does not inherently deny the public of their legal rights to a fair and comprehensive review of the environmental impacts resulting from either those expanding accommodations or their indirect implications.

Let me end with a question. If the EIR scope is expanded to include flight operations, which I believe is mandatory based on CEQA guidelines, what additional studies do the consultants recommend be included?

Sincerely,



Scott A. Green, Ph.D.
Huntington Beach, CA

CC: Long Beach City Council

P.S. Let me again emphasize, the impacts to the City of Huntington Beach must be included in the scope of flight operational impacts from this proposed project. Specific studies required are: an air dispersion model; a human health risk assessment; an assessment of the long-term health issues and classroom disruption impacts to our children at Hope View Elementary School.

October 13, 2003

Ms. Angela Reynolds, Environmental Officer
Planning and Building
City of Long Beach
333 West Ocean Boulevard
Long Beach, CA 90802

Re: Long Beach Airport Environmental Impact Report (EIR)

Dear Ms. Reynolds,

If the proposed project to increase the permanent capacity of the Long Beach Airport is endorsed, it is reasonably foreseeable that additional commercial flights beyond the current limit of 41 will be pursued by and allocated to the airlines. This conclusion is based upon the publicly available summary of the October 2003 noise budget analysis, the comments made by airport officials at public meetings, and recent court litigations and settlement agreements. It would be impossible to make a contrary conclusion without further public debate and full public review of the complete noise budget analysis data. Consequently, according to the CEQA guidelines, it is mandatory to include in the scope of the EIR the environmental impact of this reasonably foreseeable indirect physical change, the addition of commercial flights.

Having attended the September 25, 2003 Noise Management Workshop, I have reviewed the noise budget results summary presented by Vince Nestry. Several important results from that summary and meeting are worth emphasizing:

- For noise budgets, evening flights (7pm-10pm) count as 3 flights
- For noise budgets, night flights (10pm – 7am) count as 10 flights
- Results from November 2002-August 2003 show airlines are exceeding the departure noise budget by approximately 9-15%
- Airlines are not exceeding their arrival noise budget
- FedEx, with 1.4 average daily flights, constitutes 16% of the departure noise utilization
- FedEx operates a B727, which is one of the oldest, loudest aircrafts in its fleet
- JetBlue, with 22.5 average daily flights, constitutes 42.9% of the departure noise utilization
- Vince stated that if night penalties were removed, the airlines would be at 100% of their departure budget
- Vince stated that if FedEx went to a more modern aircraft, the airlines would still be slightly over their departure budget
- Sharon Diggs-Jackson, the airport public affairs officer, stated FedEx is at the limit of their capacity with their current airplane, and they are considering changing to a more modern airplane with higher capacity to support the needs of their service area
- Sharon Diggs-Jackson explained that, under a settlement approved by the City Council in February 2003, JetBlue was required to forfeit to other airlines 5 of its 27 allocated slots
- Chris Kunze, the airport manager, explained that the current permanent and temporary airport facilities are stretched to maximum capacity, implying that no additional commercial flights could be accommodated within the current configuration

In the 2003 settlement agreement, JetBlue was forced to forfeit 5 of its 27 flight slots. Clearly, then, JetBlue is motivated to recover slots if possible. Furthermore, the 2003 settlement agreement creates 7 "supplemental" slots, over and above the 41 slots, to be allocated if the noise study permits more than 41 flights. The first 3 supplemental slots are allocated to JetBlue, American Airlines and Alaska on a rotating basis, while slots 4 through 7 are given to JetBlue. Thus, JetBlue has the most to gain from compliance with the noise budget.

Having summarized the facts, let us first establish the indirect physical change criteria of the CEQA guidelines. As just stated, JetBlue has recently lost flight slots, and it is reasonable to assume they are economically motivated to recover those slots. Because the current airport facility is stretched to maximum capacity with its existing permanent and temporary accommodations, it is unlikely that JetBlue will aggressively pursue any additional flights at the present. This conclusion is further supported by the 2003 noise budget study which shows an upward trend in airline noise contributions over the last few months.

However, if the proposed project to increase the permanent capacity of the Long Beach Airport is pursued, additional accommodations for approximately 600,000 annual passengers will be made available, a significant amount for an airport currently having permanent accommodations for only 1 million annual passengers. This expansion in permanent facilities eliminates a significant obstacle for JetBlue in their pursuit of recovered flight slots. Thus, as an indirect result of the expansion in permanent airport facilities, it is reasonable to conclude the airlines will pursue additional commercial flight slots. The question then shifts to whether such an increase in flight slots could be granted.

Based on Sharon Diggs-Jackson's comments, it is reasonably foreseeable that FedEx will change to a more modern aircraft in the near future in order to meet the demands of their service area. It is in fact *unlikely* that such a change will *not* occur given the anticipated local and national economic recovery and the corresponding increase in business related freight traffic. This change in aircraft will lead to a significant reduction in the noise budget utilization, though as Vince stated, that change alone will not result in allocation of additional flights.

However, with the reduction of the noise contributions from FedEx, JetBlue would then have the capability to ensure compliance with the noise budget, with margin, through simple modifications of their own departing flight operations, such as avoiding penalized evening flights. For example, moving their only daily flight to Salt Lake City from a 7:55pm departure to a 6:45pm departure would seemingly create little inconvenience, but would produce a 2 flight credit to the daily noise budget. Similarly, moving their only daily flight to Fort Lauderdale from 9:40pm to 6:40pm would create an additional 2-flight credit to the daily noise budget. With 6 evening flights, JetBlue has the potential for 12 flight credits to the daily noise budget. With careful control to eliminate night flight departures or excessively loud departures, additional flight credits may be possible. Without the detailed noise budget analysis data, it is impossible to determine with certainty if this would be enough to trigger the supplemental slot clause of the 2003 settlement agreement, but based upon public comments by Vince it seems highly likely. If the passenger capability exists in the airport, which is the point of the proposed project, then it is

reasonably foreseeable that JetBlue will make these efforts to recover their lost flight slots, thus increasing the number of commercial flights out of Long Beach Airport.

An alternative reasonably foreseeable situation would be for JetBlue and FedEx to intentionally team up to ensure that the airplanes are below the allocated noise budgets with sufficient margin to trigger the supplemental slot clause of the 2003 settlement agreement. Combined, JetBlue and FedEx take up 58.7% of departure noise utilization, with the 1.4 average daily flights from FedEx using 16% of the total utilization alone. JetBlue and FedEx do not compete with one another, one being a passenger transport and the other a freight transport, so such a teaming is reasonable considering JetBlue is economically motivated to recover lost flight slots and FedEx is motivated to increase cargo capacity. Again, if the passenger capability exists in the airport, which is the point of the proposed project, then it is reasonably foreseeable that JetBlue will make these efforts to recover their lost flight slots, thus increasing the number of commercial flights out of Long Beach Airport.

Perhaps the most overt evidence of a reasonably foreseeable increase in commercial flights at the Long Beach Airport comes from the efforts of the airlines and the City of Long Beach themselves. Great expense and effort was invested in the negotiation of a detailed supplemental slot clause in the 2003 settlement agreement. Additional effort and expense was invested to execute the subsequently required noise study to be completed by October 15, 2003. Such efforts would have been unlikely if the possibility for supplemental slots was neither reasonably foreseeable nor highly desirable.

Based on the above evidence, I believe it is reasonable to conclude that JetBlue is motivated to recover lost slots, a combined effort between JetBlue and FedEx would result in that recovery of lost slots, and there are no competitive obstacles prohibiting such efforts, in fact, to the contrary, there are significant economic and logistical motivations driving such efforts. If the passenger capacity exists at the Long Beach Airport, which is the point of the proposed project, it is reasonably foreseeable that additional commercial flights will result due to reasonably foreseeable efforts and activities of FedEx and JetBlue. The CEQA guidelines do not require certainty of such outcomes, they require only that such an outcome is a reasonably foreseeable event. Therefore, according to the CEQA guidelines, I believe it is mandatory that the environmental impact of additional commercial flights be included in the scope of this EIR.

If the scope of the EIR is expanded to include the impact of additional commercial flights, which I believe is mandatory based on the CEQA guidelines, what additional studies do the consultants recommend be added?

Sincerely,



Scott A. Green, Ph.D.

Huntington Beach, CA

CC: Long Beach City Council